

### HERSETH SANDLIN AND GOODLATTE INTRODUCE LEGISLATION TO PROTECT PRIVATE PROPERTY RIGHTS

**December 14, 2009** –Representatives Stephanie Herseth Sandlin (D-SD) and Bob Goodlatte (R-VA) introduced the Strengthening the Ownership of Private Property (STOPP) Act, along with co-sponsors Representatives Allen Boyd (D-FL), Peter DeFazio (D-OR), Lamar Smith (R-TX) and Jim Sensenbrenner (R-WI). This bipartisan legislation, which cuts off all federal economic development aid to state or local governments that abuse their eminent domain power by seizing private property for private development purposes, was introduced in response to the narrow 5-4 U.S. Supreme Court decision, *Kelo v. City of New London*, which gave local governments broad eminent domain power to seize private property from one party and give it to another.

“The Supreme Court decision in *Kelo v. New London* dealt a serious blow to the fundamental rights of the private property owner,” said Rep. Herseth Sandlin. “This is a matter of bipartisan concern. In essence, the ruling means that governments can take your property and give it to someone else for private use. This was a dangerous precedent when the case was first decided and it remains a dangerous precedent that deserves congressional action.”

“The appalling *Kelo* decision has shaken a core value of our Nation, and has far reaching implications,” said Rep. Goodlatte. “The Court essentially erased any protection of private property as understood by the Founders of our Nation. As the saying goes, ‘A government big enough to give you everything you want is a government big enough to take away everything you have.’ I believe this legislation is necessary to ensure that our homes, farms, businesses, churches, and other private property will not be bulldozed in abusive land grabs that only benefit private individuals and organizations.”

The Supreme Court's ruling gives local governments broad power to seize property to generate tax revenue. State and local governments can now use eminent domain to take away the property of any individual for nearly any reason, including taking property for the benefit of another individual or corporation. Cities can now bulldoze private citizens' homes to make way for shopping malls or other development, essentially ensuring that no citizen's property is safe.

The STOPP Act will prevent governments from taking property from one private party and giving it to another private party. When abuses occur, the STOPP Act will prohibit localities and states from receiving federal economic assistance on all economic development projects, not just those upon which abuses occur, for two years for each violation.

While this legislation cracks down hard on private to private transfers, it would not prohibit the use of eminent domain for traditional, purely public purposes such as roads, schools and public utility rights of way. The STOPP Act has been referred to the House Committee on Agriculture, on which Herseth Sandlin and Goodlatte both serve.

###